

## **REMARKS**

Applicant traverses the 35 U.S.C. § 103(a) rejection of claims 1-6 and 14 over Masaharu (JP 2003-312457) in view of Poertzgen (EP 0768224).

As recited, e.g., in claim 1, among other things, a variable output mechanism mechanically and non-linearly varies a multiplying ratio of an output force relative to an operational input force from a brake operating member in accordance with an operating amount of the brake operating member. A load sensor detects the output force. A brake-controlling unit is operated based on the output force applied to the brake member. In addition, a reaction force applied to the output member from a single spring reaction force unit is transmitted to the brake operating member via the variable output mechanism. In addition, a damping unit of the reaction force unit applies a hysteresis differing between operation of the brake-operating member and return of the brake-operating member.

As recited, e.g., in claim 2, a length of a load-detecting lever is larger than a length of the output member. Due to the length difference, load input to the load detecting lever is smaller than load transmitted to the output member. The load sensor is attached between the load detecting lever and a second lever.

In contrast, Masaharu discloses a spring 16, coupled at one end to a brake pedal arm 2, where it applies a reaction force to the brake pedal arm 2. Spring 16 is coupled at the other end thereof to pedal bracket 1 fixed to dash panels 4 and 5. With this configuration, a reaction force applied from the spring 16 to the brake pedal arm 2 is linear relative to the operating stroke of the brake pedal arm 2, rather than non-linear.

Likewise, load sensor 42 in Poertzgen lacks a variable output mechanism, and hence can only detect a linear depressing force of pedal 28.

With respect to claim 1, neither Masaharu nor Poertzgen, alone or in combination, suggest the non-linear change of the output force in relation to the operating input force from the operating member in accordance with the operating force of the brake operating member. In addition, neither Masaharu nor Poertzgen disclose or suggest the claimed damper unit applying a hysteresis differing between operation of the brake-operating member and return of the brake-operating member.

With respect to claim 2, neither Masaharu nor Poertzgen disclose or suggest the claimed length difference between the load-detecting lever and the output lever.

Applicant also traverses the § 103(a) rejection of claims 1, 6-9, 11, 12, 14, 15 and 16 over Masaharu in view of Shaw (U.S. 6,367,886). Shaw discloses a damper unit 40 which provides a damping force against a shaft 20 by moving a fluid 31 through an orifice 26, but does not disclose application of a hysteresis differing between operation of a brake-operating member and return of the brake-operating member. Shaw also does not disclose the non-linear output force element recited in claim 1. Consequently, Shaw does not cure the deficiencies in Masaharu or Poertzgen alone, or the deficiencies in the combination of Masaharu or Poertzgen.

Entry of this Amendment After Final is proper in order to place the claims in condition for allowance or in better form for appeal.

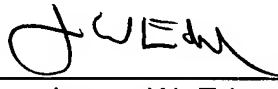
In view of the above amendments and remarks, Applicant requests entry of this Amendment After Final, and reconsideration and allowance of the claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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